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Attorney for Material Witness

United States District Court

Southern District of California

(Honorable Nita L. Stormes)

United States of America, Plaintiff, vs. MATTHEW CHARLES KENNEDY, et. al. Defendants	Criminal Case No.: 08CR0650JM Magistrate Case No.: 08MJ0569 **DECLARATION OF PEDRO SANTOS-PERALTA IN SUPPORT OF MATERIAL WITNESS MOTION FOR A VIDEOTAPE DEPOSITION** **DATE: April 24, 2008** **TIME: 9:30 am** **HON.: Magistrate Judge Nita Stormes**

I, Pedro Santos-Peralta, declare as follows:

1. My name is Pedro Santos-Peralta, I am a Material Witness in the above-captioned matter.

2. I have been held in custody since February 25, 2008 although there are no charges filed against me. I am requesting that I be released from custody and allowed to return home to my family in Mexico.

3. I am more than willing to discuss everything I know about this case with both defense and government investigators.

The fact is, however, there are only a few facts relevant to this case which the Material Witnesses are competent to testify: i.e. (a) their citizenship, (b) who might have transported the witnesses, and (c) whether the witnesses agreed to pay anyone. According to preliminary interviews, all of the facts relevant to this case in the Material Witnesses' knowledge took place over a very short period of time.

4. I have elderly parents in Mexico and my father is very ill with diabetes and cannot work. I am the sole support of he and my mother as well as my immediate family.

5. I have two young children (1 and 4) at home in Mexico and it is important for me to return home to them and my wife as well as my parents as there is no one else to assist with their care and support.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed in San Diego, California on April 15, 2008.

Dated this [**Date**] 4/15/08

Pedro Santos Peralta

Pedro Santos-Peralta